IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.18203-M of 2006

DATE OF DECISION:5.9.2006

Ramandeep kaur (minor) through her mother Inderjit Kaur .....Petitioner

Versus

State of Punjab and Ors. .....Respondents

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Navkiran Singh, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

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The Petitioner, who is prosecutrix, in case FIR No. 91 dated 26.6.2005 under Sections 376,342,506 & 34 IPC, registered at Police Station Samrala, Police District Khanna, has filed this petition under Section 482 Cr.P.C. for issuing directions to hand over the investigation in the aforesaid case to Special Investigating Team headed by a lady IPS officer.

Pursuant to the notice issued, reply on behalf of respondent-State has been filed.

Counsel for the respondent-State states that in this case after the investigation by the local police, challan has been filed against one accused and the other accused, namely, Samarjit Singh has been kept in column No.2, as he was found innocent during the investigation.

Counsel for the petitioner contends that Samarjit Singh is the real culprit and he has been wrongly declared as innocent by the police.

After hearing counsel for the parties and in view of these facts, I am not inclined to transfer the investigation to some other agency at this

stage, as in my opinion, the petitioner at the subsequent stage of the trial after recording her statement, will be at liberty to file an application under Section 319 Cr.P.C., if some evidence comes against him.

Dismissed with the aforesaid observations.

September 5, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**